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105 Rec'd PCT/PTO 08 SEP 1998

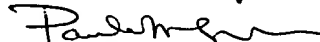
PATENT
Attorney Docket No. FJN-063

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Nobuaki Nakagawa et al.
SERIAL NO.: 09/051,670 GROUP NO.:
FILING DATE: April 16, 1998 EXAMINER:
TITLE: NOVEL DNA AND PROCESS FOR PREPARING PROTEIN USING
THE DNA

CERTIFICATE OF FIRST CLASS MAILING UNDER 37 C.F.R. 1.8

I hereby certify that this correspondence, and any document(s) referred to as enclosed herein, is/are being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to the Assistant Commissioner for Patents, Box PCT, Washington, DC 20231 on this 1st day of September, 1998.


Paula M. Swirka

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Submitted herewith are:

Combined Declaration and Power of Attorney; copy of Form PCT/DO/EO/905; Fee Transmittal Form; Transmittal Form; check for \$130.00; and return postcard receipt

09/09/1998 PVOLPE 00000097 09051670

01 FC:154

130.00 DP

187ERP3999/66.A646451

FEE TRANSMITTAL

Note: Effective October 1, 1997.
Patent fees are subject to annual revision

Comp. if Known

Application Serial Number	09/01/90
Filing Date	April 16, 1998
First Named Inventor	Nobuaki Nakagawa
Group Art Unit	
Examiner Name	
Attorney Docket No.	FJN-063

METHOD OF PAYMENT

1. ☒ Payment Enclosed:
☒ Check ☐ Money Order ☐ Other
2. ☒ The Commissioner is hereby authorized to credit or charge any fee indicated below to Deposit Account No. 20-0531.
☐ Required Fees (copy of this sheet enclosed).
☒ Additional fee required under 37 CFR 1.16 and 1.17.
☒ Overpayment Credit.

FEE CALCULATION

1. FILING FEE

Large Entity

Fee (\$)	Fee Description	Fee Paid
790	Utility filing fee	
330	Design filing fee	
150	Provisional filing fee	

	Number Filed	Number Extra	Rate	Amount
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Total Claims - 20 = x \$ 22.00 =

Independent Claims - 3 = x \$ 82.00 =

☐ Multiple Dependent Claim(s), if any \$270.00 =

TOTAL:

SMALL ENTITY DISCOUNT:

SUBTOTAL (1) (\$) 0

2. AMENDMENT CLAIM FEES

Claims Remaining After Amend.	Highest No. Previously Paid For	Present Extra	Rate	Fee Paid
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Total - = x \$ 22.00 =

Indep. - = x \$ 82.00 =

☐ First Presentation of Multiple Dep. Claim + \$270.00 =

TOTAL: (\$)

SMALL ENTITY DISCOUNT: (\$)

SUBTOTAL (2) (\$) 0

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid
130	65	Surcharge - late filing fee or oath	130.00
50	25	Surcharge - late provisional filing fee or	
130	130	Non-English specification	
2,520	2,520	For filing a request for reexamination	
110	55	Extension for reply within first month	
400	200	Extension for reply within second month	
950	475	Extension for reply within third month	
1,510	755	Extension for reply within fourth month	
2,060	1,030	Extension for reply within fifth month	
310	155	Notice of Appeal	
310	155	Filing a brief in support of an appeal	
270	135	Request for oral hearing	
130	130	Petitions to the Commissioner	
50	50	Petitions related to provisional applications	
240	240	Submission of Information Disclosure Statement (37 CFR 1.97(e))	
130	130	Submission of Information Disclosure Statement (37 CFR 1.97(d))	
790	395	Filing a submission after final rejection (37 CFR 1.129(a))	
790	395	For each additional invention to be examined (37 CFR 1.129(b))	
		Other (Specify)	

SUBTOTAL (3) (\$) 130.00

SUBTOTAL (1) 0

SUBTOTAL (2) 0

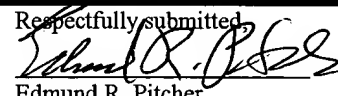
SUBTOTAL (3) 130.00

TOTAL (\$) 130.00

CORRESPONDENCE ADDRESS

Direct all correspondence to:
Patent Administrator
Testa, Hurwitz & Thibault, LLP
High Street Tower
125 High Street
Boston, MA 02110
Tel. No.: (617) 248-7000
Fax No.: (617) 248-7100

SIGNATURE BLOCK

Respectfully submitted,

Edmund R. Pitcher
Attorney for Applicant(s)
Testa, Hurwitz & Thibault, LLP
High Street Tower
125 High Street
Boston, MA 02110

Date: September 1, 1998
Reg. No. 27,829
Tel. No.: (617) 248-7589
Fax No.: (617) 248-7100

TRANSMITTAL FORM

Application Serial Number	09/051,670
Filing Date	April 16, 1998
First Named Inventor	Nobuaki Nakagawa
Group Art Unit	
Examiner Name	
Attorney Docket No.	FJN-063

ENCLOSURES (check all that apply)

- | | | |
|--|---|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form
<input checked="" type="checkbox"/> Check Attached
<input type="checkbox"/> Copy of Fee
Transmittal Form

<input type="checkbox"/> Amendment/Response
<input type="checkbox"/> After Final
<input type="checkbox"/> Affidavits/declaration(s)

<input type="checkbox"/> Letter to Official
Draftsperson
including Drawings
[Total Sheets _____]

<input type="checkbox"/> Extension of Time Request

<input type="checkbox"/> Information Disclosure
Statement

<input type="checkbox"/> Form PTO-1449
<input type="checkbox"/> Copies of IDS Citations

<input type="checkbox"/> Certified Copy of Priority
Document(s)

<input type="checkbox"/> Response to Missing Parts/
Incomplete Application | <input type="checkbox"/> Copy of Notice to File Missing
Parts of Application (PTO-1553)

<input type="checkbox"/> Formal Drawing(s)

<input type="checkbox"/> Petition Routing Slip (PTO/SB/69)
and Accompanying Petition

<input type="checkbox"/> To Convert to a Provisional
Application

<input type="checkbox"/> Power of Attorney
(Revocation of Prior Powers)

<input type="checkbox"/> Terminal Disclaimer

<input checked="" type="checkbox"/> Executed Declaration and Power
of Attorney for Utility or Design
Patent Application

<input type="checkbox"/> Small Entity Statement

<input type="checkbox"/> Request for Refund

<input type="checkbox"/> After Allowance Communication
to Group | <input type="checkbox"/> Appeal Communication to Board
of Appeals and Interferences

<input type="checkbox"/> Appeal Communication to Group
<i>(Appeal Notice, Brief, Reply Brief)</i>

<input type="checkbox"/> Status Letter

<input checked="" type="checkbox"/> Return Receipt Postcard

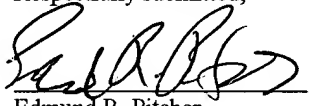
<input checked="" type="checkbox"/> Certificate of First Class Mailing
under 37 C.F.R. 1.8

<input checked="" type="checkbox"/> Additional Enclosure(s)
<i>(please identify below)</i>
Copy of PCT/DO/EO/905 |
|--|---|--|

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 Testa, Hurwitz & Thibault, LLP
 High Street Tower
 125 High Street
 Boston, MA 02110
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 Fax No.: (617) 248-7100

SIGNATURE BLOCK

Respectfully submitted,

 Date: September 1, 1998
 Reg. No. 27,829
 Tel. No.: (617) 248-7589
 Fax No.: (617) 248-7100
 Edmund R. Pitcher
 Atty/Agent for Applicant(s)
 Testa, Hurwitz & Thibault, LLP
 High Street Tower
 125 High Street
 Boston, MA 02110



Patent and Trademark Office
Address: ASSISTANT COMMISSIONER FOR PATENTS
Box PCT
Washington, D.C. 20231

U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
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09/051670

NAKAGAWA

N

FJN-063

TESTA HURWITZ & THIBEAULT
HIGH STREET TOWER
125 HIGH STREET
BOSTON, MA 02110

INTERNATIONAL APPLICATION NO.

PCT/JP97/02859

I.A. FILING DATE

PRIORITY DATE

19 AUG 97

19 AUG 96

DATE MAILED:

21 AUG 1998

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as
- ☒ a Designated Office (37 CFR 1.494),
 - ☐ an Elected Office (37 CFR 1.495);

☒ U.S. Basic National Fee.

☒ Copy of the international application in:

☒ a non-English language.

☐ English.

☒ Translation of the international application into English.

☐ Oath or Declaration of inventors(s) for DO/EO/US.

☐ Copy of Article 19 amendments.

☐ Translation of Article 19 amendments into English.

☐ The International Preliminary Examination Report in English and its Annexes, if any.

☐ Translation of Annexes to the International Preliminary Examination Report into English.

☐ Preliminary amendment(s) filed _____ and _____.

☐ Information Disclosure Statement(s) filed _____ and _____.

☐ Assignment document.

☐ Power of Attorney and/or Change of Address.

☐ Substitute specification filed _____.

☐ Verified Statement Claiming Small Entity Status.

☒ Priority Document.

☒ Copy of the International Search Report ☒ and copies of the references cited therein.

☒ Other: DNA DISKETTE

2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

☐ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.

☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.

☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).

☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.

☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$ _____ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due. See attached PTO-875.

ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY ☒ 21 OR ☐ 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes **MUST** be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.

5. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

A copy of this notice *MUST* be returned with this response.

Enclosed:

☐ PCT/DO/EO/917

☐ Notice of Defective Translation

☐ PTO-875

FORM PCT/DO/EO/905 (December 1997)

Karen McLean, Paralegal

Telephone: 703-308-9117